

1
2
3
4 CARBON CREST LLC,

5 Plaintiff,

6 No. C-19-08179-WHA

7 v.

8 TENCUE PRODUCTIONS, LLC, et al.,

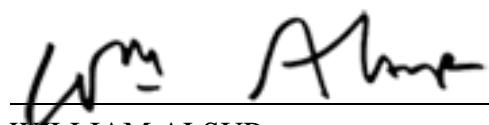
9 Defendants.

10
11
12 **ORDER DENYING DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

13
14
15 The motion for summary judgment is **DENIED**. There are too many genuine issues of
16 material fact. One issue is whether or not, even if we apply Delaware law, the terms of the
17 business advisory agreement were “fair” at the time. Another issue concerns the possible
18 applicability of California’s real estate brokerage law. While the latter is a legal issue, it is a
19 legal issue the Court is not ready to resolve. Subsidiary issues concern whether services to be
20 rendered by the plaintiff fell within the ambit of California’s licensing statute (as opposed to
21 those services performed by a “banking partner” as per the business advisory agreement).

22
23 **IT IS SO ORDERED.**

24
25 Dated: February 2, 2021

26
27
28 
WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE